

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



A. Valentine

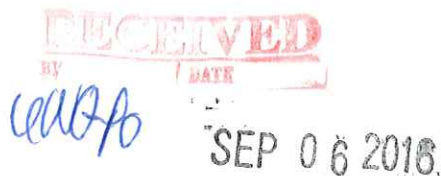
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 2, 2016

CERTIFIED MAIL

Ms. Evelyn Rosborough (6WQ-CA)
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202



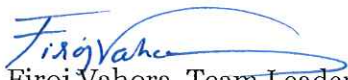
Re: City of Dripping Springs
TPDES Draft Permit No. WQ0014488003, EPA ID No. TX0136778
(CN602491284; RN104005434)

Dear Ms. Rosborough:

Enclosed is the draft proposed permit, Fact Sheet and Executive Director's Preliminary Decision, Technical Summary and Executive Director's Preliminary Decision, and application material for the draft TPDES Permit No. WQ00WQ0014488003 as required under the TCEQ/EPA Memorandum of Agreement. Please review and provide any written comments, objections (general or interim) or recommendations with respect to the draft permit within forty-five days from the receipt of this draft permit to me.

If you need additional information or have any questions, please call Mr. Julian D. Centeno, Jr. of my staff by telephone at (512) 239-4608, by e-mail at Julian.Centeno@tceq.texas.gov, by fax at (512) 239-4430 or if by correspondence, include MC 148 in the letterhead address following his name. Thank you for your cooperation in this matter.

Sincerely,


Firoj Vahora, Team Leader
Municipal Permits Team
Wastewater Permitting Section
Water Quality Division

FV/JDC/mam

Enclosures

ATTACHMENT 1

EPA - REGION 6
NPDES PERMIT CERTIFICATION CHECKLIST

In accordance with the MOA established between the State of Texas and the United States Environmental Protection Agency, Region 6, the Texas Commission on Environmental Quality submits the following draft Texas Pollutant Discharge Elimination System (TPDES) permit for Agency review.

Major ☐ **Minor** ☒ **POTW** ☒ **Private Domestic** ☐ **Non-POTW** ☐

Permittee City of Dripping Springs
SIC Code 4952
Regulated Activity Domestic Wastewater Permit
EPA ID No. TX0136778 **TPDES Permit No.** WQ0014488003
Segment No. 1427 **Basin** Colorado River Basin
Receiving Water Walnut Springs; thence to Onion Creek

- | Answer the following | | Yes | No | N/A |
|-----------------------------|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. | Are there known or potential interstate water issues associated with this permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. | Is there known or potential third-party interest/environmental concern regarding this permit action? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. | Does this facility discharge to a 303(d) listed waterbody segment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | If YES , does the facility discharge any of the pollutant(s) of concern identified in the 303(d) listing? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. | Is this permit consistent with the approved WQMP? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. | Does the facility discharge to a waterbody segment that has a finalized TMDL? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | If YES , does the permit implement the TMDL consistent with the WLAs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. | Does the technical summary/statement of basis document the rationale for the inclusion/omission of permit conditions for each 303(d) listed pollutant of concern or TMDL pollutant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. | Has a priority watershed of critical concern been identified by the U.S. Fish and Wildlife Service for this segment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. | Does this permit authorize ammonia discharges > 4.0 mg/l at the edge of the mixing zone? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. | Does this permit require testing for Whole Effluent Toxicity in accordance with the state's standard practices and implementation plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

ATTACHMENT 1
EPA – REGION 6
NPDES PERMIT CERTIFICATION CHECKLIST
Page 2 of 2

- | | | | | |
|-----|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 10. | If this facility has completed and implemented a Toxicity Reduction Evaluation (TRE), has any subsequent toxicity been identified? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. | Does this permit propose to grant a variance request (<i>WQS, FDF, etc.</i>) or does it incorporate a proposed or final approval of a variance request? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. | If a POTW is ≥ 5 MGD, does it have an approved Pretreatment Program? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. | Since the last permit issuance, has the POTW had a new Pretreatment Program approved or a Pretreatment Program modification approved? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. | Does this permit contain authorization for wet weather related peak-flow discharges? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 15. | Does this permit include a bypass of any treatment unit or authorize overflows in the system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. | Does this permit include provisions for effluent trading? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. | Does this permit contain specific issues on which EPA and the state are not in agreement regarding the permitting approach? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 18. | Is this facility subject to a national effluent limitations guideline?
Please specify: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. | Does this permit contain first-time implementation of a new federal guideline, policy, regulation, etc.?
Please specify: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. | Is this a new facility or an expansion of an existing facility? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. | Does this permit incorporate any exceptions to the standards or regulations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. | If this is a permit modification/amendment?
Please specify: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Name: Julian D. Centeno, Jr.

Date: 7/25/2016

Texas Commission on Environmental Quality



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER NEW

PERMIT NO. WQ0014488003

APPLICATION AND PRELIMINARY DECISION. City of Dripping Springs, P.O. Box 384, Dripping Springs, Texas 78620, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014488003, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 995,000 gallons per day. TCEQ received this application on October 20, 2015.

The facility will be located at 23127 Ranch-to-Market Road 150, in the City of Dripping Springs, Hays County, Texas 78620. The treated effluent will be discharged to Walnut Springs; thence to Onion Creek in Segment No. 1427 of the Colorado River Basin. The unclassified receiving water use is minimal aquatic life use for Walnut Springs. The designated uses for Segment No. 1427 are high aquatic life use, public water supply, aquifer protection, and primary contact recreation. In accordance with Title 30 Texas Administrative Code Section 307.5 and the TCEQ Procedures to Implement the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Onion Creek, which has been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Dripping Springs City Hall, Front Desk, 511 Mercer Street, Dripping Springs, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.154166&lng=-98.08&zoom=13&type=r>

CHANGE IN LAW: The Texas Legislature enacted Senate Bill 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in law.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.** If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087,

Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.texas.gov.

Further information may also be obtained from City of Dripping Springs at the address stated above or by calling Mr. Robert Callegari, P.E., CMA Engineering, Inc., at 512-432-1000.

Issuance Date _____

**STATEMENT OF BASIS/TECHNICAL SUMMARY
AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION**

DESCRIPTION OF APPLICATION

Applicant:	City of Dripping Springs; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014488003, EPA I.D. No. TX0136778
Regulated Activity:	Domestic Wastewater Permit
Type of Application:	New Permit
Request:	New Permit
Authority:	Federal Clean Water Act (CWA) § 402; Texas Water Code § 26.027; 30 Texas Administrative Code (TAC) Chapters 30, 305, 307, 309, 312, and 319; Commission policies; and United States Environmental Protection Agency (EPA) guidelines.

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit includes an expiration date of **September 1, 2019** according to 30 TAC § 305.71, Basin Permitting.

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 0.399 million gallons per day (MGD) in the Interim I phase, a daily average flow not to exceed 0.4975 MGD in the Interim II phase, and a daily average flow not to exceed 0.995 MGD in the Final phase. The proposed wastewater treatment facility will serve the Greater Dripping Springs area.

PROJECT DESCRIPTION AND LOCATION

The City of Dripping Springs South Regional Wastewater Treatment Facility will be a Bardenpho activated sludge process plant with conventional clarification and tertiary filtration in all phases. Treatment units in the Interim I and II phases will include bar screen, two anoxic basins and two aerobic basins, a final clarifier, three sludge holding tanks, effluent filters, a chlorine contact chamber and an effluent storage tank. Treatment units in the Final phase will include flow splitting and two identical four-stage Bardenpho activated sludge systems with conventional clarification and tertiary filtration followed by chlorination and effluent storage. The process will incorporate external carbon source addition and chemical (alum) addition for phosphorus removal. The facility has not been constructed.

The draft permit authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, or wastewater treatment facility.

The plant site will be located at 23127 Ranch-to-Market Road 150, in the City of Dripping Springs, Hays County, Texas 78620.

The treated effluent will be discharged to Walnut Springs; thence to Onion Creek in Segment No. 1427 of the Colorado River Basin. The unclassified receiving water use is minimal aquatic life use for Walnut

Springs. The designated uses for Segment No. 1427 are high aquatic life use, public water supply, aquifer protection, and primary contact recreation. The effluent limitations in the draft permit will maintain and protect the existing instream uses. In accordance with 30 TAC § 307.5 and the TCEQ Procedures to Implement the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Onion Creek, which has been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

Effluent limitations for the conventional effluent parameters (i.e., Biochemical Oxygen Demand or Carbonaceous Biochemical Oxygen Demand, Ammonia Nitrogen, etc.) are based on stream standards and waste load allocations for water quality limited streams as established in the Texas Surface Water Quality Standards (TSWQS) and the State of Texas Water Quality Management Plan (WQMP).

In a case such as this, end-of-pipe compliance with pH limits from 6.0 to 9.0 standard units reasonably assures instream compliance with TSWQS for pH due to the relatively small discharge volume authorized and the often corresponding minimal or limited aquatic life uses within unclassified waterbodies. This conservative assumption is based on TCEQ sampling conducted throughout the state that indicates that instream buffering quickly restores pH levels to ambient conditions.

The effluent limitations in the draft permit have been reviewed for consistency with the WQMP. The proposed effluent limitations are not contained in the approved WQMP. However, these limits will be included in the next WQMP update. ✓ July 2016 WQMP

A priority watershed of critical concern has been identified in Segment No. 1427 in Hays County. Therefore, Barton Springs Salamander (*Eurycea sorsorum*), an endangered aquatic species, has been determined to occur in the watershed of Segment No. 1427. To make this determination for TPDES permits, TCEQ and EPA only considered species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The presence of the Barton Springs Salamander, an endangered species, requires EPA review and, if appropriate, consultation with USFWS.

Segment No. 1427 is currently listed on the state's inventory of impaired and threatened waters (the 2014 Clean Water Act Section 303(d) list). The listing is specifically for sulfate from Farm-to-Market Road 967 upstream to the upper end of the segment (the most upstream crossing of Farm-to-Market Road 165 in Blanco County; AUs 1427_03 and 1427_04). Screening of the effluent from the existing facility, permitted under TCEQ Permit No. WQ0014488001, which is of lower quality than the proposed effluent's quality will be under the draft permit, shows that no effluent limit or monitoring requirement for sulfate is necessary.

SUMMARY OF EFFLUENT DATA

Self-reporting data is not available since the facility is not yet built.

DRAFT PERMIT CONDITIONS

The draft permit authorizes a discharge of treated domestic wastewater at an Interim I phase volume not to exceed a daily average flow of 0.399 MGD, an Interim II phase volume not to exceed a daily average flow of 0.4975 MGD, and a Final phase volume not to exceed a daily average flow of 0.995

MGD.

The effluent limitations in the Interim I phase of the draft permit, based on a 30-day average, are 5 mg/l five-day carbonaceous biochemical oxygen demand (CBOD₅), 5 mg/l total suspended solids (TSS), 1.9 mg/l ammonia-nitrogen (NH₃-N), 0.15 mg/l Total Phosphorus, 126 colony forming units (CFU) or most probable number (MPN) of *E. coli* per 100 ml, and 6.0 mg/l minimum dissolved oxygen (DO). The effluent limitations in the Interim II phase of the draft permit, based on a 30-day average, are 5 mg/l CBOD₅, 5 mg/l TSS, 1.7 mg/l NH₃-N, 0.15 mg/l Total Phosphorus, 126 CFU or MPN of *E. coli* per 100 ml, and 6.0 mg/l DO. The effluent limitations in the Final phase of the draft permit, based on a 30-day average, are 5 mg/l CBOD₅, 5 mg/l TSS, 1.2 mg/l NH₃-N, 0.15 mg/l Total Phosphorus, 126 CFU or MPN of *E. coli* per 100 ml and 6.0 mg/l minimum DO. The effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes based on peak flow.

The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area, the permittee shall comply with the requirements of 30 TAC § 309.13(e).

The facility does not appear to receive significant industrial wastewater contributions. Permit requirements for pretreatment are based on TPDES regulations contained in 30 TAC Chapter 315 which references 40 Code of Federal Regulations (CFR) Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution" [*rev. Federal Register/ Vol. 70/ No. 198/ Friday, October 14, 2005/ Rules and Regulations, pages 60134-60798*]. The permit includes specific requirements that establish responsibilities of local government, industry, and the public to implement the standards to control pollutants which pass through or interfere with treatment processes in publicly owned treatment works or which may contaminate the sewage sludge. This permit has appropriate pretreatment language for a facility of this size and complexity.

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal, and Transportation. The draft permit authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, or wastewater treatment facility.

SUMMARY OF CHANGES FROM APPLICATION

The applicant requested effluent limitations, based on a 30-day average, of 5 mg/l BOD₅, 5 mg/l TSS, 2 mg/l NH₃-N, 0.5 mg/l Total Phosphorus, and 5.0 mg/l minimum DO in all phases. However, effluent limitations in the Interim I phase of the draft permit, based on a 30-day average, are 5 mg/l CBOD₅, 5 mg/l TSS, 1.9 mg/l NH₃-N, 0.15 mg/l Total Phosphorus, 126 CFU or MPN of *E. coli* per 100 ml and 6.0 mg/l minimum DO. The effluent limitations in the Interim II phase of the draft permit, based on a 30-day average, are 5 mg/l CBOD₅, 5 mg/l TSS, 1.7 mg/l NH₃-N, 0.15 mg/l Total Phosphorus, 126 CFU or MPN of *E. coli* per 100 ml and 6.0 mg/l minimum DO. The effluent limitations in the Final phase of the draft permit, based on a 30-day average, are 5 mg/l CBOD₅, 5 mg/l TSS, 1.2 mg/l NH₃-N, 0.15 mg/l Total Phosphorus, 126 CFU or MPN of *E. coli* per 100 ml and 6.0 mg/l minimum DO. These effluent limits comply with the requirements in 30 TAC Chapter 311: Watershed Protection; Subchapter E: Colorado River Watershed, and with the requirements of the Edwards Aquifer Rules (30 TAC Chapter 213, Subchapter A).

SUMMARY OF CHANGES FROM EXISTING PERMIT

N/A. This is a new permit.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on October 20, 2015, and additional information received on November 30, 2015, December 14, 2015, July 14, 2016, and August 5, 2016.
2. The effluent limitations and conditions in the draft permit comply with the TSWQS, 30 TAC §§ 307.1 - 307.10, effective July 22, 2010, and the EPA approved portions of the 2014 Texas Surface Water Quality Standards, effective March 6, 2014. The effluent limitations and conditions in the draft permit comply with the requirements in 30 TAC Chapter 311: Watershed Protection; Subchapter E: Colorado River Watershed, and with the requirements of the Edwards Aquifer Rules (30 TAC Chapter 213, Subchapter A).
4. The effluent limitations in the draft permit meet the requirements for secondary treatment and the requirements for disinfection according to 30 TAC Chapter 309, Subchapter A: Effluent Limitations.
5. Interoffice memoranda from the Water Quality Assessment Section of the TCEQ Water Quality Division. Interoffice memorandum from the Stormwater & Pretreatment Team of the TCEQ Water Quality Division.
6. Consistency with the Coastal Management Plan: The facility is not located in the Coastal Management Program boundary.
7. *Procedures to Implement the Texas Surface Water Quality Standards* (IP), Texas Commission on Environmental Quality, June 2010, as approved by EPA and the IP, January 2003, for portions of the 2010 IP not approved by EPA.
8. Texas 2014 Clean Water Act Section 303(d) List, Texas Commission on Environmental Quality, June 3, 2015; approved by the EPA on November 19, 2015.
9. Texas Natural Resource Conservation Commission Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits, Document No. 98-001.000-OWR-WQ, May 1998.

PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the Chief Clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for review and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

City of Dripping Springs
TPDES Permit No. WQ0014488003
Statement of Basis/Technical Summary and Executive Director's Preliminary Decision

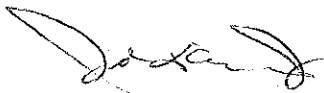
Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment and is not a contested case proceeding.

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the Commission grants a contested case hearing as described above, the Commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the Commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application, contact Julian D. Centeno, Jr. at (512) 239-4608.



Julian D. Centeno, Jr., P.E.
Municipal Permits Team
Wastewater Permitting Section (MC 148)

7/25/2016 (revised
8/26/2016)

Date